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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/506,347	02/17/2000	Hideki Nakata	10873.498UAS01	7014
23552	7590	02/28/2003	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			LE, KIMLIEN T	
ART UNIT		PAPER NUMBER		
2653				
DATE MAILED: 02/28/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/506,347	NAKATA ET AL.
	Examiner Kimlien T Le	Art Unit 2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 February 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4,7-9,12 and 13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 5,6,10,11 and 28-30 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 17 February 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>13</u> .	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

1. Applicant's election without traverse of Species A in Paper No. 11 is acknowledged.
2. Claims 5-6, 10-11 and 28-29 belong to Species B and claim 30 belongs to Species C. Therefore, 5-6, 10-11 and 28-30 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 7-9 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Goto et al. (U.S Patent 5,091,793).

Regarding claim 1, see Figs. 1-2 of Goto et al which show a method of manufacturing an optical head comprising a light source (21), an objective lens (35), a reflecting mirror (29) that reflects beams of light from the light source to allow them to enter the objective lens, and an optical bench for maintaining the light source and the reflecting mirror, the method comprising: placing the reflecting mirror (29) and the optical bench (26) on an external jig (inherent) provided with a mirror holding portion for maintaining the reflecting mirror; bonding and fixing

the reflecting mirror and the optical bench; and demounting from the external jig the optical bench to which the reflecting mirror has been bonded and fixed. (see disclosure of Figs. 1-2).

Regarding claim 9, see Figs. 1-2 of Goto et al which show an optical head comprising: a light source(21); an objective lens(35); a reflecting mirror (29) that reflects beams of light from the light source to allow them to enter the objective lens; and an optical bench (26) for maintaining the light source and the reflecting mirror, wherein the reflecting mirror is bonded and fixed to the optical bench, and in a portion where the reflecting mirror is mounted in the optical bench, no reference plane for specifying a mounting angle of the reflecting mirror through contact with the reflecting mirror is formed.

Regarding claim 2, see Figs. 1-2 of Goto et al which show the method of manufacturing an optical head according to claim 1, wherein the reflecting mirror is placed on the mirror holding portion at a predetermined angle (see disclosure of Figs. 1-2).

Regarding claim 3, see Figs. 1-2 of Goto et al which show the method of manufacturing an optical head according to claim 2, wherein the reflecting mirror is placed so that a reflecting plane of the reflecting mirror contacts with an angle reference plane of the mirror holding portion(see disclosure of Figs. 1-2).

Regarding claim 4, see Figs. 1-2 of Goto et al which show the method of manufacturing an optical head according to claim 1, wherein a position of the reflecting mirror in a direction parallel to a reflecting plane of the reflecting mirror is specified by bringing the reflecting mirror into contact with the mirror holding portion (see disclosure of Figs. 1-2).

Regarding claims 7 and 12, see Figs. 1-2 of Goto et al which show the method of manufacturing an optical head according to claim 1, wherein the reflecting mirror has a flat-plate shape (see disclosure of Figs. 1-2).

Regarding claims 8 and 13, see Figs. 1-4 of Goto et al which show method of manufacturing an optical head according to claim 1, wherein the reflecting mirror and the optical bench are bonded and fixed using a UV adhesive(column 4, lines 25-30)

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimlien T Le whose telephone number is 703 305 3498. The examiner can normally be reached on M-F 8a.m-5p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Korzuch William can be reached on 703 305 6137. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872 9314 for regular communications and 703 872 9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 3900.

Kimlien Le
February 24, 2003


WILLIAM KORZUCH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600